

Date: September 7, 2004

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria VA, 22313-1450 by "First Class Mail" service.

Donald S. Prater  
Name (Print)

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: BROWN et al.

Application No.: 10/047,440

Filed: January 14, 2002

Docket No.: 542286CON (3600-226-01)

Examiner: BOS, Steven J.

Group Art Unit: 1754

Confirmation No.: 4701

For: PROCESS FOR PRODUCING NIOBIUM AND TANTALUM COMPOUNDS

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 7, 2004

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached. This Supplemental Information Disclosure Statement is being submitted before issuance of an Office Action on the merits (after the filing of the Request for Continued Examination) and before any Final Office Action or Notice of Allowance. Please note that the Japanese versions were previously submitted to the United States Patent and Trademark Office in an Information Disclosure Statement filed June 8, 2004, with the Request for Continued Examination.

Should a first Office Action cross in the mail with the filing of this Supplemental Information Disclosure statement, then applicants respectfully petition under 37 C.F.R. § 1.97(c) to consider the documents set forth in the Information Disclosure Statement.

Second Supplemental Information Disclosure Statement  
U.S. Patent Application No. 10/047,440

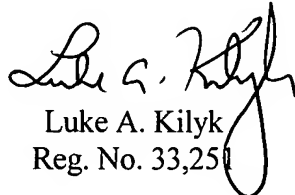
The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. *See* 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicants determine that the cited documents(s) do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account 03-0060.

Respectfully submitted,

  
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Enclosures: PTO-1449 w/ 5 Documents

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|--|---|----------|----------------------|---|-----------|----------------------------|
| Atty. Docket No.: 542,286CON (3600-226-01)   |   |          |                      | Application No.: 10/047,440                               |           |                            |
| Applicant: BROWN   |   |          |                      |   |           |                            |
| Filing Date: January 14, 2002  |   |          | Group Art Unit: 1754 |   |           |                            |
| <b>U.S. PATENT DOCUMENTS</b>   |   |          |                      |   |           |                            |
| Examiner Initial*  | Document Number   | Date     | Name                 | Class   | Sub Class | Filing Date If Appropriate |
|  |   |          |                      |   |           |                            |
|  |   |          |                      |   |           |                            |
|  |   |          |                      |   |           |                            |
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|  |   |          |                      |   |           |                            |
| <b>FOREIGN PATENT DOCUMENTS</b>  |   |          |                      |   |           |                            |
|  | Document Number   | Date     | Country              | Class   | Sub Class | Translation<br>Yes      No |
|  | 8-12333   | 01/16/96 | Japan                |   |           | Yes                        |
|  | 7-101726  | 04/18/95 | Japan                |   |           | Yes                        |
|  |   |          |                      |   |           |                            |
|  |   |          |                      |   |           |                            |
|  |   |          |                      |   |           |                            |
|  |   |          |                      |   |           |                            |
| <b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>  |   |          |                      |   |           |                            |
|  | Kawakita et al., "Some considerations on Tapping Compaction," Milling No. 19, pages 100-105 (1974) (English translation)        |          |                      |   |           |                            |
|  | Kimio, "Packing and bulk density of powder," Milling No. 18, pages 112-125 and 131 (1973) (English Translation)                 |          |                      |   |           |                            |
|  | Iwanami's Dictionary of Physics and Chemistry, 3 <sup>rd</sup> Ed., pages 514-516, and 517 (1971) (Partial English Translation) |          |                      |   |           |                            |
|  |   |          |                      |   |           |                            |
|  |   |          |                      |   |           |                            |
|  |   |          |                      |   |           |                            |
| Examiner   |   |          |                      | Date Considered   |           |                            |
| <b>*Examiner:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |   |          |                      |   |           |                            |
| Form PTO 1449  |   |          |                      | Patent and Trademark Office - U.S. Department of Commerce |           |                            |

